IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

TUESDAY, THE TWENTY FIFTH DAY OF JANUARY
TWO THOUSAND AND FIVE

PRESENT

THE HON'BLE MS JUSTICE G.ROHINI

WRIT PETITION NO : 23938 of 2004

Between:

Sri Saraswati Swayam Sahayaka Sangam, Pendlimarri Village, Kalasapadu Mandal, Kadapa District represented by Group Leader-

Smt. Nagi Reddy Savithri W/o Venkata Subba Reddy, R/o Pendlimarri Village, Pittigunta Post, Kalasapadu mandal, Kadapa District

..... PETITIONER

AND

1 The District Collector, Kadapa District, Kadapa
2 the Joint Collector, Kadapa, Kadapa District
3 the Mandal Revenue Officer, Kalasapadu Mandal, Kadapa District
4 Smt. Muthumalla Padmavathi
MPP School Pendlimarri Vilalge, Kalasapadu Mandal, Kadapa District

.....RESPONDENTS

Petition under Article 226 of the constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court may be pleased to issue a Writ more particularly one in the nature Writ of mandamus declaring the action of the respondents in not continuing the petitioner as a Mid-Day meals implementing agency in MPP School in Pendlimarri Village, Kalasapadu mandal, Kadapa District pursuant to the Directions of the District Collector, Kadapa dt 29-11-2004 is illegal, arbitrary and violative of Principles of natural justice and consequetnly direct the respondents to continue the petitioenr as Mid-Day Meals implementing agency in MPP School in Pendlimarri Village, Kalasapadu Mandal, Kadapa District and pass such other order or orders

Counsel for the Petitioner:MR.P.MADHUSUDHAN RAO

Counsel for the Respondent Nos.1 to 3: GP FOR REVENUE

The Court made the following :

O R D E R:

Heard the learned counsel for the petitioner and the learned Government Pleader appearing for the respondents 1 to 3.

It is not in dispute that the petitioner was appointed as the Mid-day meal implementing agency of M.P.P. School Pendlimarri village, Kalasapadu Mandal. However, on the basis of the report of the Mandal Educational Officer, Kalasapadu, stating that the petitioner has indulged in certain irregularities in implementing the Mid-day meal programme, by proceedings dated 30-10-2004, passed by the third respondent- the Mandal Revenue Officer, Kalasapadu, the petitioner was removed as the Mid-day meal implementing agency of the school concerned. The petitioner, aggrieved by the said order, made a representation before the first respondent, the District Collector, Kadapa, on 29-11-2004. On the same day, the District Collector directed the Mandal Educational Officer as well as the third respondent- the Mandal Revenue Officer to allow the petitioner to continue as the implementing agency of the school concerned till the final orders are passed on his representation. This writ petition is filed alleging that the said direction of the District Collector dated 29-11-2004 has not been implemented.

A counter-affidavit has been filed by the third respondent- the Mandal

Revenue Officer, in which it is stated that as per the direction of the first respondent- the District Collector, Kadapa, the petitioner is allowed to continue as the Mid-day meal implementing agency and till date she is continuing as the same.

It is also clear from the counter-affidavit that the first respondent- the District Collector has not yet passed any order on the representation/appeal filed by the petitioner against the order of the third respondent- the Mandal Revenue Officer dated 30-10-2004.

In the circumstances, while placing on record the statement of the third respondent that the petitioner is being continued as the Mid-day meal implementing agency as on today, the writ petition is disposed of with a direction to the first respondent- the District Collector, Kadapa, to consider the representation/appeal dated 29-11-2004 filed by the petitioner and pass appropriate orders in accordance with law, as expeditiously as possible, preferably within a period of four weeks from the date of receipt of a copy of this order. No costs.

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(G. ROHINI, J)

Date: 25-01-2005

ghn

To

1 The District Collector, Kadapa District, Kadapa
2 the Joint Collector, Kadapa, Kadapa District
3 the Mandal Revenue Officer, Kalasapadu Mandal, Kadapa District
4 Two CCs to the Government Pleader for Revenue, High Court Buildings, Hyderabad.(O.U.T.)

5 Two CD copies.